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§ 87(2)(b)

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## JURY DEMAND

Plaintiffs Richard Sutherland, Cliff Woodworth, Joe & Donna Hanes, Carl J. Tolson & Xiaoshan Guo, Roger Dean, Betty Callen, Robert Stephens, Terrence P. Kane, William & Nancy Peche, Harvey Braswell, Darrell Crow, Fred Chapple, James Ricercato, Ron Trombo, Teri Nagle and Donna J. Miller (hereafter collectively referred to as "Plaintiffs") filed their Original Complaint and

Application for Temporary Restraining Order and Preliminary Injunction. Upon review of Plaintiffs' Original Complaint and Application for Temporary Restraining Order and Preliminary Injunction, all exhibits attached thereto, and the evidence herein, this Court finds as follows:

Proper notice of the Preliminary Injunction hearing has been given to Defendants Al Petty and Independence 2000 America, Inc. d/b/a Telecom 2000 Network ("Telecom 2000"). Further, Plaintiffs and Defendants Al Petty and Telecom 2000 have agreed to the entry of this Preliminary Injunction. The Plaintiffs have demonstrated a substantial likelihood of success on the merits upon the trial of this matter. Plaintiffs have proved that the harm that will result if no Preliminary Injunction is issued is irreparable in that Plaintiffs seek to enjoin and restrain the transfer or disposition of cash. Such funds are highly mobile and may be transferred outside the jurisdiction of this Court or outside this country. Furthermore, Plaintiffs' proof includes instances of such transfers of money from this jurisdiction to other jurisdictions, including possible offshore or overseas accounts. If such monies or other funds are disposed of or transferred by Defendants it will alter the status quo and tend to make ineffectual a judgment in favor of Plaintiffs.

THEREFORE, it is hereby ORDERED, ADJUDGED and DECREED that Defendants Al Petty and Telecom 2000 and any of their employees, agents, or any other person acting in concert with Defendants or at Defendants' direction, are enjoined from spending, selling, transferring, assigning, encumbering or otherwise attempting or completing any action that would affect or diminish the marketability or value of property or assets of the Defendants. In addition, Defendants are prohibited and enjoined from selling, transferring, assigning, encumbering or otherwise disposing of property, money, or assets, or attempting to do so, held in or by the following:

1. Any funds held in the name of any Defendant, or their employees, agents, or any other person acting at their direction, held by U.S. Bank in Portland, Oregon;
2. Any cashier's checks, money orders and cash in the possession or under the control of Al Petty or Telecom 2000, any or all of which was obtained from investors in Telecom 2000.

This Preliminary Injunction will not expire until judgment in this cause is entered by this Court.

The Clerk of the above entitled court shall forthwith, on the filing by Plaintiffs of the bond hereafter required, and on approving the same according to the law, issue a Preliminary Injunction Order in conformity with the law and terms of this Order.

The Plaintiffs are required to file a bond or cash in lieu thereof in connection with the issuance of this Preliminary Injunction in the amount of \$ 15,000 conditioned as required by law.

Signed this 3rd day of June, 2002.

  
JUDGE PRESIDING

AGREED:



DERON R. DACUS

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